

**STATE PLAN FOR
INDEPENDENT LIVING
(SPIL)**

**Chapter 1, Title VII of the Rehabilitation Act of 1973,
as Amended**

**STATE INDEPENDENT LIVING SERVICES (SILS) PROGRAM
PART B**

**CENTERS FOR INDEPENDENT LIVING (CIL) PROGRAM
PART C**

FISCAL YEARS 2008 – 2010

Revised 11/2/09

Effective Date: October 1, 2007

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PART I: Assurances

State of: South Dakota

Section 1: Legal Basis and Certifications

- 1.1 The designated State unit (DSU) eligible to submit the State Plan for Independent Living (SPIL or the plan) and authorized under State law to perform the functions of the State under the State Independent Living Services (SILS) and Centers for Independent Living (CIL) programs is **Division of Rehabilitation Services (DRS)** (insert name of DSU). *34 CFR 76.104(a)(1) and (2); 34 CFR 364.22(a)*
- 1.2 The separate State agency eligible to submit the plan and authorized under State law to provide vocational rehabilitation (VR) services to individuals who are blind is **Division of Service to the Blind and Visually Impaired (DSBVI)** (insert name of separate State agency). Indicate N/A if not applicable. *34 CFR 76.104(a)(1) and (2); 34 CFR 364.20(d) and 364.22(c)*
- 1.3 The Statewide Independent Living Council (SILC) that meets the requirements of section 705 of the Act and is authorized to perform the functions outlined in section 705(c) of the Act in the State is **South Dakota Statewide Independent Living Council** (insert name of SILC). *34 CFR 364.21(a)*
- 1.4 The DSU and, if applicable, the separate State agency authorized to provide VR services to individuals who are blind, and the SILC are authorized to jointly develop, sign and submit this SPIL on behalf of the State, and have adopted or otherwise formally approved the SPIL. *34 CFR 76.104(a)(7); 34 CFR 364.20(c) and (d)*
- 1.5 The DSU, and, if applicable, the separate State agency authorized to provide VR services to individuals who are blind, may legally carry out each provision of the plan and will comply with all applicable Federal statutes and regulations in effect with respect to the three-year period it receives funding under the SPIL. *34 CFR 76.104; 34 CFR 80.11(c)*
- 1.6 The SPIL is the basis for State operation and administration of the program. All provisions of the SPIL are consistent with State law. *34 CFR 76.104(a)(4) and (8)*
- 1.7 The representative of the DSU and, if applicable, of the separate State agency authorized to provide VR services to individuals who are blind, who has the authority under State law to receive, hold, and disburse Federal funds made available under the SPIL and to submit the SPIL jointly with the SILC chairperson is **Grady Kickul, DRS Division Director** (Name, title of DSU director) and **Gaye Mattke, DSBVI Division Director** (Name, title of separate State agency director, if applicable). *34 CFR 76.104(a)(5) and (6)*

Section 2: SPIL Development

- 2.1 The plan shall be reviewed and revised not less than once every three years, to ensure the existence of appropriate planning, financial support and coordination, and other assistance to appropriately address, on a statewide and comprehensive basis, the needs in the State for:
 - The provision of State independent living services;
 - The development and support of a statewide network of centers for independent living; and
 - Working relationships between programs providing independent living services and independent living centers, the vocational rehabilitation program established under title I, and other programs providing services for individuals with disabilities. *34 CFR 364.20(f)*
- 2.2 The DSU and SILC conduct public meetings to provide all segments of the public, including interested groups, organizations and individuals, an opportunity to comment on the State plan prior to its submission to the Commissioner and on any revisions to the approved State plan. *34 CFR 364.20(g)(1)*
- 2.3 The DSU and SILC establish and maintain a written description of procedures for conducting public meetings in accordance with the following requirements. The DSU and SILC shall provide:
 - appropriate and sufficient notice of the public meetings (that is, at least 30 days prior to the public meeting through various media available to the general public, such as newspapers and public service announcements, and through specific contacts with appropriate constituency groups and organizations identified by the DSU and SILC);
 - reasonable accommodation to individuals with disabilities who rely on alternative modes of communication in the conduct of the public meetings, including providing sign language interpreters and audio-loops; and
 - public meeting notices, written material provided prior to or at the public meetings, and the approved State plan in accessible formats for individuals who rely on alternative modes of communication. *34 CFR 364.20(g)(2)*
- 2.4 At the public meetings to develop the State plan, the DSU and SILC identify those provisions in the SPIL that are State-imposed requirements beyond what would be required to comply with the regulations in 34 CFR parts 364, 365, 366, and 367. *34 CFR 364.20(h)*
- 2.5 The DSU will seek to incorporate into, and describe in, the State plan any new methods or approaches for the provision of IL services to older individuals who are blind that are developed under a project funded under chapter 2 of title VII of the Act and that the DSU determines to be effective. *34 CFR 364.28*
- 2.6 The DSU and SILC actively consult, as appropriate, in the development of the State plan with the director of the Client Assistance Program (CAP) authorized under section 112 of the Act. *34 CFR 364.20(e)*

Section 3: Independent Living Services

- 3.1 The State, directly or through grants or contracts, will provide IL services with Federal, State, or other funds. *34 CFR 364.43(b)*
- 3.2 Independent living services shall be provided to individuals with significant disabilities in accordance with an independent living plan mutually agreed upon by an appropriate staff member of the service provider and the individual, unless the individual signs a waiver stating that such a plan is unnecessary. *34 CFR 364.43(c)*
- 3.3 All service providers will use formats that are accessible to notify individuals seeking or receiving IL services under chapter 1 of title VII about:
 - the availability of the CAP authorized by section 112 of the Act;
 - the purposes of the services provided under the CAP; and
 - how to contact the CAP. *34 CFR 364.30*
- 3.4 Participating service providers meet all applicable State licensure or certification requirements. *34 CFR 365.31(c)*

Section 4: Eligibility

- 4.1 Any individual with a significant disability, as defined in 34 CFR 364.4(b) is eligible for IL services under the SILS and CIL programs authorized under chapter 1 of title VII of the Act. Any individual may seek information about IL services under these programs and request referral to other services and programs for individuals with significant disabilities, as appropriate. The determination of an individual's eligibility for IL services under the SILS and CIL programs meets the requirements of 34 CFR 364.51. *34 CFR 364.40(a), (b) and (c)*
- 4.2 Service providers apply eligibility requirements without regard to age, color, creed, gender, national origin, race, religion or type of significant disability of the individual applying for IL services. *34 CFR 364.41(a)*
- 4.3 Service providers do not impose any State or local residence requirement that excludes any individual who is present in the State and who is otherwise eligible for IL services from receiving IL services. *34 CFR 364.41(b)*

Section 5: Staffing Requirements

- 5.1 Service provider staff includes personnel who are specialists in the development and provision of IL services and in the development and support of centers. *34 CFR 364.23(a)*
- 5.2 To the maximum extent feasible, a service provider makes available personnel able to communicate:

- with individuals with significant disabilities who rely on alternative modes of communication, such as manual communication, nonverbal communication devices, Braille or audio tapes, and who apply for or receive IL services under title VII of the Act; and
- in the native languages of individuals with significant disabilities whose English proficiency is limited and who apply for or receive IL services under title VII of the Act. *34 CFR 364.23(b)*

5.3 Service providers establish and maintain a program of staff development for all classes of positions involved in providing IL services and, if appropriate, in administering the CIL program. The staff development programs emphasize improving the skills of staff directly responsible for the provision of IL services, including knowledge of and practice in the IL philosophy. *34 CFR 364.24*

5.4 All recipients of financial assistance under parts B and C of chapter 1 of title VII of the Act will take affirmative action to employ and advance in employment qualified individuals with significant disabilities on the same terms and conditions required with respect to the employment of individuals with disabilities under section 503 of the Act. *34 CFR 364.31*

Section 6: Fiscal Control and Fund Accounting

6.1 All recipients of financial assistance under parts B and C of chapter 1 of title VII of the Act will comply with applicable EDGAR fiscal and accounting requirements and will adopt those fiscal control and fund accounting procedures as may be necessary to ensure the proper disbursement of and accounting for those funds. *34 CFR 364.34*

Section 7: Recordkeeping, Access and Reporting

7.1 In addition to complying with applicable EDGAR recordkeeping requirements, all recipients of financial assistance under parts B and C of chapter 1 of title VII of the Act will maintain records that fully disclose and document:

- the amount and disposition by the recipient of that financial assistance;
- The total cost of the project or undertaking in connection with which the financial assistance is given or used;
- the amount of that portion of the cost of the project or undertaking supplied by other sources;
- compliance with the requirements of chapter 1 of title VII of the Act and Part 364 of the regulations; and
- other information that the Commissioner determines to be appropriate to facilitate an effective audit. *34 CFR 364.35(a) and (b)*

7.2 With respect to the records that are required by 34 CFR 364.35, all recipients of financial assistance under parts B and C of chapter 1 of title VII of the Act will submit reports that the Commissioner determines to be appropriate. *34 CFR 364.36*

7.3 All recipients of financial assistance under parts B and C of chapter 1 of title VII of the Act will provide access to the Commissioner and the Comptroller General, or any of their duly authorized representatives, to the records listed in 34 CFR 364.37 for the purpose of conducting audits, examinations, and compliance reviews. 34 CFR 364.37

Section 8: Protection, Use, and Release of Personal Information

8.1 Each service provider will adopt and implement policies and procedures to safeguard the confidentiality of all personal information, including photographs and lists of names in accordance with the requirements of 34 CFR 364.56(a)(1-6). 34 CFR 364.56(a)

Section 9: Signatures

After having carefully reviewed all of the assurances in sections 1 - 8 of this SPIL, the undersigned hereby affirm that the State of **South Dakota** is in compliance and will remain in compliance with the aforementioned assurances during **2008 - 2010** (specify the three-year period covered by this SPIL).

The effective date of this SPIL is October 1, **2007** (year)

Ryan L Green

11-3-09

SIGNATURE OF SILC CHAIRPERSON

DATE

Ryan Green

NAME OF SILC CHAIRPERSON

Grady Kickul

10-7-09

SIGNATURE OF DSU DIRECTOR

DATE

Grady Kickul, Division Director

NAME AND TITLE OF DSU DIRECTOR

Gaye Mattke

11-3-09

SIGNATURE OF DIRECTOR OF THE SEPARATE STATE AGENCY FOR INDIVIDUALS WHO ARE BLIND

DATE

Gaye Mattke, Division Director

NAME AND TITLE OF THE DIRECTOR OF THE SEPARATE STATE AGENCY FOR INDIVIDUALS WHO ARE BLIND

Part II: Narrative

Section 1: Goals, Objectives and Activities

1.1 Goals and Mission – 34 CFR 364.42(b)(1)

Describe the overall goals and mission of the State's IL programs and services. The SPIL must address the goals and mission of both the SILS and the CIL programs, including those of the State agency for individuals who are blind as they relate to the parts of the SPIL administered by that agency.

The independent living network in South Dakota includes several key stakeholders – Statewide Independent Living Council, Division of Rehabilitation Services, Centers for Independent Living, Division of Service to the Blind and Visually Impaired and State Independent Living Services programs. Other organizations working to support persons with significant disabilities reaching their independent living goals are also critical collaborative pieces of the independent living services system in South Dakota i.e., disability organizations; community service providers; other city, county and state resources.

The independent living network's shared vision in South Dakota is that persons with significant disabilities, including individuals who are blind, be supported in their goal to continue to live, or return to living, as independently as possible in their own homes and communities, through the receipt of independent living services. The mission shared by network members is to enhance and expand independent living services and resources so that all South Dakotans with severe disabilities have full access to independent living programs and services that are consumer controlled, community-based, culturally competent, timely, comprehensive, and appropriate to the needs of those served.

The goals of South Dakota's independent living network are:

- Goal 1: Improve the quality of independent living services, including the four core services – advocacy, information and referral, independent living skills training and peer support, to individuals with significant disabilities that will allow them to fully participate in community life.
- Goal 2: Provide independent living services to individuals and populations who require these services and are underserved or unserved.
- Goal 3: Ensure that staff are qualified, as well as educated about the independent living philosophy, and provide independent living services, including the four core services – advocacy, information and referral, independent living skills training and peer support.
- Goal 4: The SD independent living network will mutually collaborate with other State, tribal

and local agencies and organizations.

1.2 Objectives – 34 CFR 364.42(a)(1) and (d); 34 CFR 364.32; 34 CFR 364.33

1.2A Specify the objectives to be achieved and the time frame for achieving them.

Goal 1: Improve the quality of independent living services, including the four core services – advocacy, information and referral, independent living skills training and peer support, to individuals with significant disabilities that will allow them to fully participate in community life.

Objective 1 – The DSU will continually evaluate the base funding levels for CILs and SILS and recommend adjustments, as appropriate.

- (a) Annually the DSU will make it a priority to continue to provide funding to CILs and SILS for the provision of independent living services.
- (b) Annually the Association of CILs will be invited to provide the DSU with updates on staffing levels, compensation packages and other operational needs.
- (c) Annually the DSU will re-evaluate the existing funding formula, and recommend revisions based upon changing realities i.e., identified unmet needs; demographics; service priorities.

Objective 2 – The DSU will annually develop a plan to assist CILs and SILS in obtaining alternative funding sources for independent living services in the state.

- (a) The DSU will consult with the CILs and SILS to determine what funding sources they are presently accessing to support the delivery of services.
- (b) The DSUs will identify potential new funding sources that CILs and SILS might access to support the delivery of services.

Objective 3 – Annually the SILC will identify issues impacting the ability of persons with significant disabilities to live independently in South Dakota and participate in systems advocacy activities designed to address these issues.

- (a) SILC members will annually participate in systems advocacy initiatives i.e., state and national legislative issues.
- (b) The SILC will circulate information on current advocacy issues and effective ways to advocate on those issues.
- (c) The SILC will encourage CILs and SILS to educate consumers on current

advocacy issues and ways they may have an impact on those issues.

- (d) The SILC will annually actively participate with state and national advocacy groups i.e., NCIL; APRIL calling for needed changes that support the independent living goals of South Dakotans with significant disabilities.

Objective 4 – The SILC will continue its SPIL monitoring process.

- (a) SILC staff will monitor progress being made on SPIL activities and report outcomes to the SILC State Plan Advocacy Committee and at quarterly SILC meetings.
- (b) SILC staff will regularly monitor consumer satisfaction with delivered IL services and report on the outcome at quarterly SILC meetings.
- (c) The SILC will utilize its State Plan Advocacy Committee as the vehicle through which to identify advocacy efforts for the SILC's consideration and action.

Goal 2: Provide independent living services to individuals and populations who require these services and are underserved or unserved, including older blind individuals.

Objective 1 – Expand access to independent living services for populations identified as underserved or unserved annually as resources become available.

- (a) Develop and implement a plan for providing outreach and independent living services to veterans with disabilities, collaborating on those efforts with state and local veteran related entities i.e., Veterans Administration; DAV; PVA; VFW.
- (b) Develop and implement a plan for providing outreach and independent living services to youth with disabilities planning for transition from school and the youth service delivery system to the adult service delivery system, collaborating on these efforts with the Transition Services Liaison Project and other state and local transition focused initiatives.
- (c) Develop and implement a plan for providing outreach and independent living services to older individuals who are blind or experience vision loss needing peer support services, collaborating with all members of the South Dakota independent living network.
- (d) Develop and implement a plan for providing outreach and independent living services to members of minority populations i.e., Native Americans with disabilities and other minority populations with disabilities; collaborating on those efforts with federal, state, and local minority focused entities i.e.,

NAAP; Sioux Falls Multicultural Center.

- (e) Develop and implement a plan for support of recreational opportunities for persons with significant disabilities, which are community based, inclusive and consumer directed, collaborating on these efforts with other public and private entities.
- (f) The SD independent living network will identify and implement steps to work more closely with other state agencies/organizations to better serve additional populations identified as underserved or unserved. i.e., Easter Seals of South Dakota; NAMI SD; SD Coalition of Citizens with Disabilities.

Objective 2 – Annually implement activities designed to improve community and consumer knowledge of the availability of independent living and other disability related services.

- (a) The SILC will provide information on independent living and other disability related services at various statewide events i.e., conferences, health fairs.
- (b) The SILC will encourage CILS and SILS to provide information on independent living and other disability related services at local events.
- (c) SILC will consult and coordinate with other statewide organizations to identify effective means of promoting all persons' knowledge of the availability of independent living and other disability related services.

Objective 3 – Continually monitor the role of the specialized programs/services i.e., Home Modifications/Assistive Devices (HMAD); Telecommunications Assistive Devices (TAD); Telephone Relay Services (TRS); Assistive Daily Living Services (ADLS); DakotaLink (assistive technology grant); Chapter II Older Blind program; Medical Assistance for Workers with Disabilities (MAWD) and their impact on meeting the IL needs of persons with significant disabilities in South Dakota.

- (a) DSU staff will provide the SILC with quarterly updates of these program activities provided directly by their agencies.
- (b) DSU and SILC staff will invite representatives of other projects/programs to present regular updates at quarterly SILC meetings.
- (c) Annually the independent living network will make it a priority to provide additional funding for these programs as demand increases, should additional funds become available, as well as identify other funding sources and systems that might begin addressing these needs i.e., long term care insurance, families, community service organizations.

Goal 3: Ensure that staff are qualified, as well as educated on the independent living philosophy, and provide independent living services, including the four core services – advocacy, information and referral, independent living skills training and peer support.

Objective 1 – The SILC will annually review staffing trends within the independent living services system.

- (a) The SILC will invite the DSU, Division of Service to the Blind and Visually Impaired, CILs and SILS to provide an annual report on staffing trends within the independent living services system i.e., number of staff with disabilities; turnover rates; reasons for turnover; vacancy status.
- (b) The South Dakota independent living network will advertise staff openings with local agencies, which provide job placement services to people with disabilities, and with other disability related organizations.

Objective 2 – On a continual basis the SILC will provide training to SILC members to increase their knowledge of independent living philosophy and services, as well as their statutory role within the independent living services system.

- (a) The SILC will annually identify training opportunities and promote SILC member participation in these opportunities.
- (b) The SILC will annually provide financial and staff support of SILC members participating in training opportunities.
- (c) The SILC will seek technical assistance from the Rehabilitation Services Administration related to their training needs.

Goal 4: The South Dakota independent living network will mutually collaborate with other State, tribal and local agencies and organizations.

Objective 1 – Annually the SILC will identify and implement collaborative opportunities for consumer input into the independent living services system in South Dakota and utilize gathered input in future planning efforts.

- (a) Identify and implement at least four collaborative opportunities for consumer input i.e., meet with related boards and councils – State Rehabilitation Council, Council on Developmental Disabilities, Mental Health Planning and Coordinating Council; host public forums; participate in other disability organizations events – conferences.
- (b) Invite other State entities i.e., Departments of Transportation, Social Services

and Labor; SD Housing Development Authority, to provide regular updates on their activities and to identify possible areas of collaboration, which have potential to impact the success of persons with significant disabilities seeking to live independently.

- (c) Invite representatives of minority groups i.e., Native Americans with disabilities and other minority populations with disabilities, to provide reports on unmet IL needs within their specific communities.
- (d) The State Plan Advocacy Committee will review gathered input and make recommendations to the full SILC about future activities.

1.2B Describe the steps planned regarding outreach to populations in the State that are unserved or underserved by programs until title VII, including minority groups and urban and rural populations. This section of the SPIL must include:

- **Identify the populations to be designated for targeted outreach efforts;**
- **Identify the geographic areas (i.e., communities) in which the targeted populations reside.**

This SPIL recognizes that South Dakotans with significant disabilities who live throughout the state are currently underserved by CILs. One contributor to this reality is that geographically a majority of the state is defined as rural and frontier. The SILC will host up to two small group meetings per year in underserved areas of South Dakota in order to gather input from people with disabilities as to what services and resources are needed in their communities. The SILC will develop and maintain a matrix of community needs identified in these meetings, and this information will be used to inform legislators and other policy makers of the needs in areas they serve. The SILC will keep documentation on where the meetings were held, the number of people attending, and the needs identified by attendees.

- **Describe how the needs of individuals with significant disabilities from minority groups will be addressed.**

The IL network will work to recruit individuals from minority groups as members of the SILC and local CIL boards and staff members. The network will also collaborate with state level groups representing minorities, such as Tribal, Hispanic, Asian, and others representing minority groups to assure that IL services are provided in an accessible manner.

1.3 Financial Plan – 34 CFR 364.42(a)(2) and (3); 34 CFR 364.29

Describe in sections 1.3A and 1.3B, below, the financial plan for the use of Federal and non-Federal funds to meet the SPIL objectives.

1.3A Financial Plan Tables

Complete the financial plan tables covering years 1, 2 and 3 of this SPIL. For each funding source, provide estimated dollar amounts anticipated for the applicable uses. The financial plan table should include only those funding sources and amounts that are intended to support one or more of the objectives identified in section 1.2 of the SPIL. To the extent possible, the tables and narratives must reflect the applicable financial information from centers for independent living. Refer to the SPIL Instructions for additional information about completing the financial tables and narratives.

- Insert additional rows for the specific funding sources and amounts expected within the categories of Other Federal Funds and Non-Federal Funds.

Year 1

Sources	Approximate Funding Amounts and Uses			
	SILC Resource Plan	IL Services	General CIL Operations	Other SPIL Activities
Title VII Funds				
Chapter 1, Part B	\$ 24,327	\$ 269,150		\$ 8,000
Chapter 1, Part C			\$784,878	
Chapter 2, OIB (only those provided by the OIB grantee to further a SPIL objective)		\$225,000		
Other Federal Funds				
Sec. 101(a)(18) of the Act (Innovation and Expansion)	\$ 36,828			
Other				
Non-Federal Funds				
State Funds	\$ 9,966	\$ 33,498		
Other				

Year 2

Sources	Approximate Funding Amounts and Uses			
	SILC Resource Plan	IL Services	General CIL Operations	Other SPIL Activities
Title VII Funds				
Chapter 1, Part B	\$ 24,327	\$272,383		\$ 8,000

Chapter 1, Part C			\$784,878	
Chapter 2, OIB (only those provided by the OIB grantee to further a SPIL objective)		\$225,000		
Other Federal Funds				
Sec. 101(a)(18) of the Act (Innovation and Expansion)	\$ 36,828			
Other				
Non-Federal Funds				
State Funds	\$ 9,966	\$ 33,498		
Other				

Year 3

Sources	Approximate Funding Amounts and Uses			
	SILC Resource Plan	IL Services	General CIL Operations	Other SPIL Activities
Title VII Funds				
Chapter 1, Part B	\$ 24,327	\$ 272,383		\$ 8,000
Chapter 1, Part C			\$784,878	
Chapter 2, OIB (only those provided by the OIB grantee to further a SPIL objective)		\$225,000		
Other Federal Funds				
Sec. 101(a)(18) of the Act (Innovation and Expansion)	\$ 36,828			
Other				

Non-Federal Funds				
State Funds	\$ 9,966	\$ 33,498		
Other				

1.3B Financial Plan Narratives

1.3B(1) Specify how the part B, part C and chapter 2 (Older Blind) funds, if applicable, will further the SPIL objectives.

Annually the DSU prepares budget allocation recommendations for various independent living services and programs provided through the CILs and one SILS. These recommended allocations are shared with the SILC as a means of keeping them current on available funding levels and scope of IL services in the state. The DSU enters into agreements with the CILs and one SILS to provide identified IL services that support the SPIL goals. Chapter 1, Part B funds are also utilized to address several of the SPIL goal areas. These goals range from addressing quality of services to accessibility of services to underserved populations and geographic areas to transition support for young people with disabilities.

The SILC and CILs, along with the Chapter 2 program, partner through the SPIL objectives and work towards developing, expanding and promoting service options to ensure independent living services are provided to South Dakotans of all ages who are experiencing disabilities, including persons who are older and blind. These activities include supporting and expanding the existing peer support network across the state. The activities are accomplished through specific referrals for services provided by the CILs and staff of the Chapter 2 program, each recognizing the specialized skills and core services provided by each entity.

Chapter 1, Part B funds are also used to support a purchase of service agreement with the South Dakota Coalition of Citizens with Disabilities (Coalition). The Coalition’s executive director, program specialist and administrative assistant provide administrative support to the SILC, as it carries out its mandated role under the Rehabilitation Act.

State funds are used to support the one SILS in the state. This program specifically addresses goal #2, which addresses accessibility of IL services for South Dakotans who are deaf.

Other funds, Social Security Reimbursement, support the delivery of other specialized programs such as the Home Modifications Assistive Devices (HMAD) program.

Other services administered by the DSU that support the SPIL goals are the Telecommunications Assistive Devices (TAD) program, the Assistive Daily Living Services (ADLS) program and the Neuro-muscular program. The DSU utilizes a variety of funding sources to support these services.

Another example of collaboration for by agencies involved with the provision of independent living services is demonstrated through the Telecommunications/Assistive Devices (TAD)

program, which assist persons with speech and other impairments, other than deafness or severe hard of hearing, who need assistive devices in order to effectively communicate via telecommunications. By recognizing the difficulty older consumers who have vision loss have with communication needs, the TAD program receives referrals from the Older Blind Independent Living Services program staff. In the past three years, sixty-four individuals served by the OB-IL program received amplified phones or devices with enhanced print for accessibility. By accessing the TAD program, the OB-IL funds were maximized for direct services for consumers needing skills of blindness training and other related services.

1.3B(2) Describe efforts to coordinate Federal and State funding for centers and IL services, including the amounts, sources and purposes of the funding to be coordinated.

The DSU coordinates Federal and State funding for CILs and SILS through a variety of mechanisms. These include quarterly reviews of the SPIL as an integral component of the SILC meetings, regular communication between the DSU and CILs, and annual on-site reviews and technical assistance. The primary source of IL funds is Chapter 1, Part B. These funds total \$656,023 and are divided among four CILs that provide services statewide. These CILs also receive \$784,878 in Chapter 1, Part C funds to support their general operations. Other funds are utilized to support SILC administrative duties and other IL programs and services such as HMAD and TAD. Even though the SILC provides, if requested, guidance into the final allocation of these and other funds supporting the independent living network in South Dakota, the DSU is the entity, which allocates available Part B and other funds to the IL service delivery system.

1.3B(3) Describe any in-kind resources including plant, equipment or services to be provided in support of the SILC resource plan, IL services, general CIL operations and/or other SPIL objectives.

The SILC, the DSU nor the Division of Service to the Blind and Visually Impaired utilize in-kind resources in the provision and coordination of IL services; nor do they require utilization of in-kind resources by the CILs and SILC.

1.3B(4) Provide any additional information about the financial plan, as appropriate.

Generally in the past the SILC has not maintained a separate budget to carry out its responsibilities, goals and objectives. The estimated resource plan for the SILC in FY08 is estimated to be \$71,121 – a combination of Part B, Section 101(a)(18) of the Act (Innovation and Expansion) and State funds.

1.4 Compatibility with Chapter 1 of Title VII and the CIL Work Plans – 34 CFR 364.42(c) and (e)

1.4A Describe how the SPIL objectives are consistent with and further the purpose of chapter 1 of title VII of the Act as stated in section 701 of the Act and 34 CFR 364.2.

Chapter 1 of Title VII of the Rehabilitation Act states that the purpose of independent living services is “to promote a philosophy of independent living, including a philosophy of consumer control, peer support, self-help, self-determination, equal access, and individual and systems advocacy, in order to maximize the leadership, empowerment, independence, and productivity of individuals with disabilities, and the integration and full inclusion of individuals with disabilities into the mainstream of American society, by—

- (1) providing financial assistance to States for providing, expanding, and improving the provision of independent living services;
- (2) providing financial assistance to develop and support statewide networks of centers for independent living; and
- (3) providing financial assistance to States for improving working relationships among State independent living rehabilitation service programs, centers for independent living, Statewide Independent Living Councils established under section 705, State vocational rehabilitation programs receiving assistance under title I, State programs of supported employment services receiving assistance under part B of title VI, client assistance programs receiving assistance under section 112, programs funded under other titles of this Act, programs funded under other Federal law, and programs funded through non-Federal sources.”

South Dakota’s 2008 – 2010 SPIL goals and objectives provide a foundation for the accomplishment of these purposes of chapter 1 of title VII of the Rehabilitation Act.

Goals 1, 2 and 3 of the SPIL address the South Dakota independent living network’s commitment to providing financial assistance that will continue to support the and improve the provision of IL services in South Dakota, as well as help to further develop and support the statewide network of centers for independent living. They address the need to continue the redesign of IL services, as unmet needs are identified and targeted, as well as when emerging populations begin to surface, which have not been a part of the historical picture of independent living services in South Dakota. They also addresses the need to ensure that staff of the IL network members – SILC, CILs, Division of Service to the Blind and Visually Impaired, SILS and DSU – remain current on independent living philosophy and practices, as the needs of those being served change in our midst.

Goal 4 of the SPIL addresses the value and need for continuing collaboration, not only among IL network members, but also with members of the wider service community, which seeks to meet the needs of persons with disabilities in South Dakota. At a time when dollars are being stretched further and further, the commitment to collaborating with others is a means to leverage all available resources to better meet the needs of those served. Collaboration also provides an opportunity to learn from one another and to lessen the potential for duplication of efforts and services.

1.4B – Consideration of the CIL priorities under section 725(c)(4) of the Act was ensured through various activities.

First, the SPIL signatories hosted a meeting with the CIL directors with the specific focus of providing direct input into the goals of the 2008 – 2010 SPIL. The goals drafted at the meeting were presented to the full SILC, and with some minor revisions, they were adopted by the SILC as the goals for the new SPIL. Secondly, SILC staff reviewed the most recent 704 reports of the four CILs – specifically to identify the goals identified by each CIL for future activities. The CIL Directors also participated in quarterly SILC meetings, both as individual directors and as members of the SD Association of CILs, and are actively represented on the SILC by one director, whom they chose to be their representative. CILs were also invited to assist the SPIL signatories in hosting two public meetings in May, at which time input was gathered for inclusion within the SPIL. Finally, the SPIL signatories asked the CILs to share a questionnaire with those they serve, which sought input on their priorities for the types of independent living services most needed in South Dakota. Information gathered from all of these venues was considered in the formation of various aspects of this document.

1.5 – Cooperation, Coordination, and Working Relationships Among Various Entities – 34 CFR 364.26

Maximizing cooperation, coordination and working relationships among the SD independent living network members is critical to meeting the greatest amount of need with the available resources i.e., funds, staff. The SILC continues to include the involvement of a CIL representative as part of their membership. SILC staff also routinely shares with CILs and others information on state and federal levels that has the potential to impact the lives of those served through the IL system, as well as the system itself i.e., legislative activity; policy decisions; funding. The SILC has also made a commitment to meeting in a location where a CIL is located, so they have the opportunity to visit a CIL and learn more about the work of the organization. Each member of the IL network is invited to provide a report at quarterly SILC meetings. In addition, the SD Association of CILs is also invited to provide an update at the SILC meetings.

In terms of maximizing cooperation, coordination and working relationships between the membership of the SD IL network and other entities, both public and private, several steps have been taken and will continue to be made. Other state agencies represented on the SILC are the Departments of Social Services and Transportation. Also, the South Dakota Housing Development Authority is represented on the SILC. Each of these entities are provided with time on the agenda of the SILC's quarterly meetings to share news and issues with the potential to impact the lives of people with disabilities seeking to live independently. Current SILC membership also has direct links back to the State Rehabilitation Councils – Board of Vocational Rehabilitation and Board of Service to the Blind and Visually Impaired and the Workforce Development Council. In addition, current membership has direct linkage to private disability related groups i.e., Paralyzed Veterans of America, National Youth Leadership Network, NAMI of SD, SD RehabACTion.

1.6 Coordination of Services – 34 CFR 364.27

No one member of the IL network has the ability to meet all the needs of those they serve, nor are their programs and services designed to do so. Thus it is critical that all are fully aware of services available through other Federal, State and local programs, which have the potential to meet some of the IL and VR needs of those served. Information is routinely shared with IL network members on other available resources i.e., assistive daily living services, medical assistance for workers with disabilities, benefits specialists, respite care, home care services. This sharing occurs through the quarterly SILC meetings. It also occurs through mailings and email alerts circulated through a statewide network of advocates, which includes representatives of the IL network members. In addition, the IL network members routinely make referrals to one another and other agencies, recognizing that each provider offers unique services necessary for consumers to reach their independent living goals. This information is also shared with those served, so they may make informed choices on from whom they wish to seek services, and so the consumers are truly in control of their journey to reaching their independent living goals.

Having SILC member representatives of the Departments of Social Services and Transportation and South Dakota Housing Development Authority is one way in which coordination of services is carried out. At each quarterly SILC meeting these entities report on developing and changing services under their direction. Thus the IL network members are kept current on other available services. This helps to ensure that duplication of efforts and services does not occur. In addition, some SILC members have direct ties to the veterans' services agencies and the transition and education services agencies. Finally, SILC members have representation of a diverse group of entities relating to the needs of people with various disabilities i.e., PVA, NAMI of SD; NYLN; agency serving individuals who are older blind; and through these representatives every effort is made to stay current on available programming and services, as well as to build upon what is already occurring rather than create anew a similar service or program.

1.7 Independent Living Services for Individuals who are Older Blind – 34 CFR 364.28

Describe how the DSU seeks to incorporate into, and describe in, the State plan any new methods or approaches for the provision of IL services to older individuals who are blind that are developed under the Older Individuals who are Blind program and that the DSU determines to be effective.

The Division of Service to the Blind and Visually Impaired has a staff of rehabilitation teachers who serve older individuals who are blind. They provide an array of independent living services statewide. These services enable the majority of consumers served to remain independent within their homes and communities. The services are primarily provided to individuals in their homes to assist them in maintaining their ability to live independently. Additionally, in-service training in skills of blindness instruction is provided to staff members to assist elderly individuals who are living in nursing home environments. An independent living plan is developed and services provided to individuals who have low vision and anticipate leaving a nursing home to return to a

more independent setting when vision loss is the main obstacle to independence.

Due to the fact that this consumer base is comprised primarily of persons who are elderly, the majority has secondary disabilities that impact their ability to live independently. Some examples of the types of secondary disabilities present are alterations in mental functioning, cancer, cardiovascular disease, hearing impairment, diabetes, kidney failure, muscular-skeletal impairments, neurological changes and respiratory conditions.

Services provided by the rehabilitation teachers are individualized and are delivered on an eligibility-based model. SBVI staff located throughout the state work with consumers to develop independent living plans with specific goals and objectives, as well as timelines for accomplishing those goals.

Continuous efforts are made to increase awareness of the Chapter 2 program and its benefits. One innovative activity was the development of a signature guide template with the local SBVI office toll-free number imprinted along with the agency name. These signature guides are not only provided to consumers, but they are also distributed to banks, clinics and other community locations for them to offer to their customers with low vision, while increasing their awareness of SBVI as a resource for independent living services for citizens with visual impairments.

Over the years, SBVI has received donations from individuals in memory of their loved ones. Thanks to the generosity of these individuals, and in line with their wishes, SBVI implemented the Closed Circuit Television (CCTV) Lease/Loan Program in April of 2004. A CCTV is a camera and monitor system that magnifies script or pictures up to sixty times. The Lease/Load Program makes these devices available to current and former consumers of the Independent Living Blind Program, who cannot otherwise afford them because of limited financial resources. In 2004 and 2005, over 125 CCTV units were made available for lease or loan by utilizing memorial funds. An additional 25 units were introduced into use in 2006, and the purchase of these units was funded through the Telecommunication Relay Services (TRS) funds appropriated by the Division of Rehabilitation Services. TRS are available to help meet the telecommunication needs of South Dakotans with disabilities, and this one time allotment not only provided for the purchase of the additional CCTV units; it also provided for the purchase of an array of low vision devices for use by consumers.

In addition to collaborating with the VR agency to acquire the CCTVs, SBVI partnered with Dakotalink, an organization that specializes in assistive technology services and devices, to provide the CCTV services offered by the program. This activity is an example of innovative activities developed by the independent living network, which has significantly improved the quality of life for program participants.

SBVI also provides support to local community based peer support groups through their rehabilitation teaching staff. They also provide some minimal funding for peer support group meeting related expenses. Volunteer coordinators/facilitators take the lead with these groups, and SBVI staff supports their efforts to have an active peer support group, designed by group members to meet their needs. A new initiative for the peer support system is providing the

participants with information on the benefit of Tai Chi. Studies have shown that special Tai Chi movements designed for seniors reduced the risk of multiple falls by 47.5%. These movements significantly increase a person's balance, improve memory, improve circulation, and increase mobility and coordination. This innovative activity begins with a Tai Chi demonstration at local peer support group meetings, as well as at demonstrations at regional events.

By leveraging resources, increasing the collaboration, coordinating our efforts and continuing to develop creative initiatives, the agencies who partner to accomplish the SPIL will achieve their goals. This will have a positive effect and will assist the IL-OB program to achieve their overall goal to increase the number of individuals served and to improve upon the successful outcomes for older citizens who are blind in South Dakota.

Section 2: Scope, Extent, and Arrangements of Services

2.1 Scope and Extent – 34 CFR 364.42(b)(2)(3); 34 CFR 364.43(b); 34 CFR 364.59(b)

2.1A Check the appropriate boxes in the SPIL Instrument table indicating the types of IL services to be provided to meet the objectives identified in section 1.2 of this SPIL, and whether the services will be provided by the CILs or by the DSU (directly and/or through contract or grant).

Table 2.1A: Independent living services	Provided by the DSU (directly)	Provided by the DSU (through contract and/or grant)	Provided by the CILs (Not through DSU contracts/grants)
Core Independent Living Services, as follows:			
- Information and referral		X	X
- IL skills training		X	X
- Peer counseling		X	X
- Individual and systems advocacy		X	X
Counseling services, including psychological, psychotherapeutic, and related services			X
Services related to securing housing or shelter, including services related to community group living, and supportive of the purposes of this Act and of the titles of this Act, and adaptive housing services (including appropriate accommodations to and modifications of any space used to serve, or occupied by, individuals with significant disabilities)		X	X
Rehabilitation technology		X	X
Mobility training		X	X

Table 2.1A: Independent living services	Provided by the DSU (directly)	Provided by the DSU (through contract and/or grant)	Provided by the CILs (Not through DSU contracts/grants)
Services and training for individuals with cognitive and sensory disabilities, including life skills training, and interpreter and reader services		X	X
Personal assistance services, including attendant care and the training of personnel providing such services		X	X
Surveys, directories and other activities to identify appropriate housing, recreation, accessible transportation and other support services		X	
Consumer information programs on rehabilitation and IL services available under this Act, especially for minorities and other individuals with disabilities who have traditionally been unserved or underserved by programs under this Act		X	X
Education and training necessary for living in the community and participating in community activities		X	X
Supported living			
Transportation, including referral and assistance for such transportation		X	X
Physical rehabilitation			X
Therapeutic treatment			
Provision of needed prostheses and other appliances and devices			X
Individual and group social and recreational services		X	X
Training to develop skills specifically designed for youths who are individuals with significant disabilities to promote self-awareness and esteem, develop advocacy and self-empowerment skills, and explore career options		X	X
Services for children with significant disabilities			X
Services under other Federal, State, or local programs designed to provide resources, training, counseling, or other assistance of substantial benefit in enhancing the independence, productivity, and quality of life of individuals with significant disabilities		X	X

Table 2.1A: Independent living services	Provided by the DSU (directly)	Provided by the DSU (through contract and/or grant)	Provided by the CILs (Not through DSU contracts/grants)
Appropriate preventive services to decrease the need of individuals with significant disabilities for similar services in the future		X	X
Community awareness programs to enhance the understanding and integration into society of individuals with disabilities		X	X
Other necessary services not inconsistent with the Act		X	X

2.1B Describe any service provision priorities, including types of services or populations, established for meeting the SPIL objectives identified in section 1.2.

This document indicates that South Dakotans with significant disabilities in some areas of the state are underserved. In response to this identified reality, the SILC will host up to two small group meetings per year in underserved areas of South Dakota in order to gather input from people with disabilities, seeking to learn what services and resources are needed in these areas. The SILC will develop and maintain a matrix of community needs identified in these meetings, and this information will be used to inform legislators and other policy makers of the needs of constituents in areas they represent. The SILC will keep documentation on where the meetings are held, the number of people attending, and the needs identified by attendees.

The SILC will also enter into dialogue with other boards and councils related to the provision of services to South Dakotans with disabilities, as another means of identifying what unmet needs exist and which most appropriately fit under the independent living services system. The SILC will also review the results of needs assessments either they or other entities have completed in relation to people with disabilities.

2.1C If the State allows service providers to charge consumers for the cost of services or to consider the ability of individual consumers to pay for the cost of IL services, specify the types of IL services for which costs may be charged and for which a financial need test may be applied, and describe how the State will ensure that:

- Any consideration of financial need is applied uniformly so that all individuals who are eligible for IL services are treated equally; and
- Written policies and consumer documentation required by 34 CFR 364.59(d) will be kept by the service provider.

Indicate N/A if not applicable.

The Division of Rehabilitation Services requires a financial needs test to be completed in relation to the delivery of Home Modifications Assistive Devices (HMAD) program services. This needs test takes into account the individual's income and resources, and it may result in the individual participating in some type of cost share of provided services. The needs test is uniformly applied to all individuals seeking services through this program. The service providers maintain written policies on how the needs test is to be applied, and the DSU reviews these policies on an annual basis.

As allowed by policy, the Older Blind Independent Living program also requires a financial needs test, which is administered for the purpose of determining who will purchase the aids and devices needed by the consumer to achieve their independent living goals. All other aspects of the OB-IL program are free of charge to the consumer, including information and referral, eligibility and training in the skills of blindness. Like the HMAD program, the needs test takes into account the individual's income and resources, and it is applied uniformly to all individuals who are in the program.

2.2 Arrangements for State-Provided Services – 34 CFR 364.43(d) and (e)

2.2A If the DSU will provide any of the IL services identified in section 2.1A through grants or contractual arrangements with third parties, describe such arrangements.

The South Dakota Division of Rehabilitation Services contracts with CILs to provide some IL services, using Part B funds. Measurable outcomes will be developed for each year of the plan, and the South Dakota DRS Independent Living Program Specialist will work with the CILs to monitor outcomes. The CILs will submit quarterly reports to the DSU, and the IL Program Specialist will conduct an annual review of each CIL's outcomes, providing a subsequent report to the SILC.

2.2B If the State contracts with or awards a grant to a center for the general operation of the center, describe how the State will ensure that the determination of an individual's eligibility for services from that center shall be delegated to the center.

Determinations of eligibility for IL services, and maintenance of a consumer service records (CSR) for each person served will be completed by an IL specialist or comparable CIL staff. The consumer will develop their Independent Living Plan (ILP) with the support of the IL specialist, unless the consumer decides to sign a waiver of the ILP. If a waiver is signed, the CSR will still clearly identify the consumer's identified IL goals, the planned services designed to support them in reaching those goals and progress made towards their accomplishment. The DRS IL program specialist will visit each CIL at least annually to review consumer service records and to discuss any identified problems and recommended solutions.

Section 3: Design for the Statewide Network of Centers

3.1 Existing Network – 34 CFR 364.25

Provide an overview of the existing network of centers, including non-Part C-funded centers that

comply with the standards and assurances in section 725 (b) and (c) of the Act, and the geographic areas and populations currently served by the centers.

South Dakota is comprised of 66 counties, all of which are covered by one of four centers for independent living and several state independent living services programs. The four CILS are: Native American Advocacy Project (NAAP), Opportunities for Independent Living (OIL), Prairie Freedom Center for Independent Living (PFCIL) and Western Resources for dis-ABLED Independence (WRDI). The Divisions of Rehabilitation Services and Service to the Blind and Visually Impaired provide vocational rehabilitation services in all 66 counties. Within South Dakota there are also nine Native American tribal territories, and independent living and vocational rehabilitation services are also provided in some or all of these areas through tribal vocational rehabilitation programs.

NAAP serves persons with significant disabilities on all nine Native American reservations in South Dakota that include all or part of Bennett, Brule, Buffalo, Charles Mix, Corson, Dewey, Gregory, Jackson, Lyman, Marshall, Mellette, Minnehaha, Pennington, Roberts, Shannon, Todd, Tripp, Yankton and Ziebach counties.

OIL serves persons with significant disabilities in all or part of Brown, Beadle, Campbell, Clark, Codington, Day, Deuel, Edmunds, Faulk, Grant, Hand, Hamlin, Hyde, Marshall, McPherson, Potter, Roberts, Spink and Walworth counties.

PFCIL serves persons with significant disabilities in all or part of Aurora, Bon Homme, Brookings, Brule, Buffalo, Charles Mix, Clay, Davison, Douglas, Gregory, Hanson, Hutchinson, Jerauld, Kingsbury, Lake, Lincoln, McCook, Miner, Minnehaha, Moody, Sanborn, Turner, Union and Yankton counties.

WRDI serves persons with significant disabilities in all or part of Butte, Custer, Fall River, Harding, Haakon, Hughes, Jackson, Jones, Lawrence, Lyman, Meade, Mellette, Pennington, Perkins, Stanley, Sully and Tripp counties.

The State's network is complete in terms of 34 CFR 364.25 in that services are available in all 66 counties, including all reservation lands.

3.2 Expansion of Network – 34 CFR 364.25

Describe the design for the further expansion of the network, including identification of the unserved and underserved areas in the State and the order of priority for serving these areas as additional funding becomes available (beyond the required cost-of-living increase).

South Dakota's independent living network has not identified a need to develop a plan for expanding the existing network of CILs. It has identified the reality that even though the entire population has access to some level of independent living services, it is not always access to the same scope of services as may be available to persons in other portions of the state. Thus their attention has been focused on how to increase the level of services available to all South

Dakotans with significant disabilities needing and requesting IL services.

The SPIL signatories have set the following priorities for the use of Part C funds awarded to South Dakota in the future:

1. The first priority is to use available funds to support existing Part C CILs – NAAP, OIL, PFCIL and WRDI – at the level of funding of the previous year.
2. The second priority is to use available Part C funds to provide a cost-of-living increase to all existing Part C CILs – NAAP, OIL, PFCIL and WRDI.
3. The third priority is to use additional available funds to increase the level of services to the underserved population in South Dakota. The IL Network has determined that although the entire state has access to services from the existing CILs, the entire state is underserved. The DSU's and the SILC recommend that additional funds awarded in this third priority area be awarded in equal amounts to each CIL or 25% for each CIL.

3.3 Section 723 States Only – 34 CFR 364.39

3.3A If the State follows an order of priorities for allocating funds among centers within a State that is different from what is outlined in 34 CFR 366.22, describe the alternate order of priority that the DSU director and the SILC chair have agreed upon. Indicate N/A if not applicable.

3.3B Describe how the State policies, practices and procedures governing the awarding of grants to centers and the oversight of these centers are consistent with 34 CFR 366.37 and 366.38.

Section 4: Designated State Unit (DSU)

4.1 Administrative Support Services – 34 CFR 364.4; 34 CFR 364.22(b)

4.1A Describe the administrative support services to be provided by the DSU for the SILS (Part B) program and, if the State is a Section 723 State, for the CIL (Part C) program.

– Refer to the SPIL Instructions for additional information about administrative support services.

South Dakota's Division of Rehabilitation Services manages some direct IL service programs utilizing Part B funds, in addition to awarding some Part B funds directly to CILs. The DRS Independent Living Program Specialist monitors the agreements with the CILs and SILS, as well as monitors any waiting lists for IL services provided through these mechanisms. This individual also receives requests for IL services, making appropriate referrals to CILs and SILS, as well as determining eligibility and maintaining any consumer service record for each person served by a DRS service program.

4.1B Describe other DSU arrangements for the administration of the IL program, if any.

The South Dakota Division of Rehabilitation Services (DRS) provides fiscal oversight for the Part B funds that go to the four CILs in South Dakota. The DRS independent living program specialist provides direct oversight of these funds and related activities. She also provides technical assistance to the CILs as requested.

In terms of Part B funds directed to the SILC resource plan, since the SILC has not generally kept funds for itself, the DSU and SILC will need to develop a mechanism for disbursement of these funds and the completion of related activities.

Section 5: Statewide Independent Living Council (SILC)

5.1 Resource plan – 34 CFR 364.21(i)

5.1A Describe the resource plan prepared by the SILC in conjunction with the DSU for the provision of resources, including staff and personnel, made available under parts B and C of chapter 1 of title VII, section 101(a)(18) of the Act, and from other public and private sources that may be necessary to carry out the functions of the SILC identified in section 705(c). The description must address the three years of this SPIL.

– Refer to the SPIL Instructions for more information about completing this section.

The SILC Resource Plan allocates federal funding from Title I Innovation and Expansion funds for the operation of the SILC. The major areas where funding is allocated includes staff salary and benefits, SILC Member travel and teleconference expenses for council and committee meetings; training for staff and council members; travel for staff and council members to regional and national IL conferences; offices expenses including rent, supplies, copy machine, phones – long distance and toll-free – and insurance; funding for expenses related to holding public forums and small group meetings across the state in underserved areas; and funding for technical assistance requests from SILC members and other members of the IL network. This allocation plan will fund the SILC activities, which must be completed to meet the goals and objectives of this SPIL.

5.1B Describe how the following SILC resource plan requirements will be addressed:

- The SILC’s responsibility for the proper expenditure of funds and use of resources that it receives under the resource plan.**
- Non-inclusion of conditions or requirements in the SILC resource plan that may compromise the independence of the SILC.**
- Reliance, to the maximum extent possible, on the use of resources in existence during the period of implementation of the State plan.**

There is an excellent system in place for checks and balances to ensure the fiscal accountability of the SILC. The SILC staff develops an annual budget to outline the proper expenditure of funds and use of resources the SILC receives under the resource plan. This budget is approved by the

entire SILC, and any modifications during the year that are needed are also approved by the SILC. The staff keeps a detailed accounting of expenditures through their work with a local accounting firm. At each of the quarterly SILC meetings, they are presented with a financial report on expenditures to date and remaining balances. SILC staff submits requests for reimbursement of expenses to the Division of Rehabilitation Services on a monthly basis. On a quarterly basis, SILC staff provides the SILC Chairperson and DSU Director with a report on staff time usage in support of SILC activities, as well as a related detailed budget report.

There are no conditions or requirements in the SILC Resource Plan that would compromise the independence of the SILC.

The SILC, CILs, and DSUs will rely, to the maximum extent possible, on the use of resources in existence during the period of implementation of the State Plan for Independent Living.

5.2 Establishment and Placement – 34 CFR 364.21(a)

Describe how the establishment and placement of the SILC ensures its independence with respect to the DSU and all other State agencies.

– Refer to the SPIL Instructions for more information about completing this section.

The South Dakota SILC is established under the State of South Dakota, Office of the Governor, Executive Order 93 – 6. Executive Order 93 – 6 addresses the role of the SILC, its composition, appointing authority and the SILC's duties. Governor Walter D. Miller signed this Executive Order June 9, 1993.

5.3 Appointment and Composition – 34 CFR 364.21(b) – (f)

Describe the process used by the State to appoint members to the SILC who meet the composition requirements in section 705(b).

– Refer to the SPIL Instructions for more information about completing this section.

The Governor completes all appointments to the SILC, including ex-officio appointees representing various agencies of State government. The SILC is presently comprised of a total of 15 members. Nine of these members are persons with disabilities, and they are not employed by a State agency or a CIL. The directors of the Divisions of Rehabilitation Services (DSU) and Service to the Blind and Visually Impaired (the separate agency serving individuals who are blind or visually impaired) are both ex-officio members of the SILC. The total number of voting members is ten, and one of the voting members is a CIL director chosen by the CIL directors within the state. The types of disability groups represented by current SILC members are physical, mental, cognitive, sensory and multiple. The South Dakota SILC also includes representatives from the SD Departments of Transportation and Social Services, as well as the SD Housing Development Authority. Current membership also provides for statewide representation. The SILC Chairperson, Vice-Chairperson and Member-at-Large are all elected

from and by the voting members. No member of the SILC may serve more than two consecutive three-year terms. When vacancies occur, they are filled by Governor appointment, either at the time annually when new appointments are made, or during the interim, depending on the desire of the Governor.

5.4 Staffing – 34 CFR 364.21(j)

Describe how the following SILC staffing requirements will be met:

- **SILC supervision and evaluation, consistent with State law, of its staff and other personnel as may be necessary to carry out its functions.**
- **Non-assignment of duties to SILC staff and other personnel made available by the DSU, or any other State agency or office, which would create a conflict of interest while assisting the SILC in carrying out its duties.**

The SILC has a part-time executive secretary and administrative assistant through a purchase of service agreement between the South Dakota Coalition of Citizens with Disabilities (Coalition) and the Division of Rehabilitation Services. This agreement provides for similar staff support for the State Rehabilitation Council. The Coalition's Executive Director acts as the SILC's executive secretary, and she carries out activities per the direction of the SILC. The SILC Chairperson gives primary direction to staff, and some examples of activities carried out by staff are:

- Complete all logistical arrangements for regular and special SILC meetings.
- Handle correspondence, including minutes, public notices, letters, press releases and reports.
- Provide support to committees, including scheduling, facility arrangements and material preparations.
- Schedule, promote and conduct community forums to obtain public comment for the State Plan for Independent Living services.
- Assist in preparing and submitting the annual Section 704 Report and the State Plan for Independent Living.
- Complete travel arrangements for SILC members and make reimbursement payments for allowable expenses.
- Provide funding in support of events and projects, which the SILC approves, and which support persons with significant disabilities living as independently as possible, as well as promoting the IL philosophy.

The SILC staff and the SILC Executive Committee have regular contact, including teleconference calls, to conduct SILC business.

There are no staff assignments made that would create a conflict of interest.

This agreement is evaluated annually. The Coalition Executive Director seeks feedback from the involved parties on the quality of services being provided, the adequacy of the level of staff support being provided to the SILC, and the interest in continuing this arrangement. The most

recent evaluation resulted in very positive feedback being gathered and a new agreement being negotiated for the 2007 – 2008 year.

Section 6: Service Provider Requirements

Describe how the following service provider requirements will be met:

6.1 Staffing – 34 CFR 364.23; 34 CFR 364.24; 34 CFR 364.31

- Inclusion of personnel who are specialists in the development and provision of IL services and in the development and support of centers.**
- Availability, to the maximum extent feasible, of personnel able to communicate (1) with individuals with significant disabilities who rely on alternative modes of communication, such as manual communication, nonverbal communication devices, Braille, or audio tapes and (2) in the native languages of individuals with significant disabilities whose English proficiency is limited and who apply for or receive IL services under title VII of the Act.**
- Establishment and maintenance of a program of staff development for all classes of positions involved in providing IL services and, where appropriate, in administering the CIL program, improving the skills of staff directly responsible for the provision of IL services, including knowledge of and practice in the IL philosophy.**
- Affirmative action to employ and advance in employment qualified individuals with significant disabilities on the same terms and conditions required with respect to the employment of individuals with disabilities under section 503 of the Act.**

Each of the four centers for independent living in South Dakota will maintain their established job descriptions that include requirements for education, personal experience, and skills for employees that provide IL services.

Each CIL will follow its established plan to identify and provide accommodations as needed and requested by the consumers served.

Each of South Dakota's CILs will follow their established personnel policies that include provisions for staff development and affirmative actions to employ persons with disabilities.

6.2 Fiscal Control and Fund Accounting – 34 CFR 364.34

- Adoption of those fiscal control and fund accounting procedures as may be necessary to ensure the proper disbursement of and accounting for funds made available through parts B and C of chapter 1 of title VII of the Act, in addition to complying with applicable EDGAR fiscal and accounting requirements.**

DRS utilizes a computer program to disburse Part B funds to the CILs on a monthly basis. The program examines a variety of factors, which include the case status and the number of days a case has been open. DRS works closely with the Department of Human Services' Office of

Budget and Finance to assure that claims are paid accurately and on time, and that these fiscal transactions meet EDGAR requirements.

DRS uses a modified accrual basis of accounting consistent with most other agencies of the State of South Dakota. Modified accrual accounting is used to show the flow of financial assets to the funds and balances available for spending at year end. Each of South Dakota's four CILs will follow its established fiscal policies and cost allocation plan, and they will be responsible for monitoring and maintaining records of their expenditures to assure compliance with EDGAR fiscal and accounting requirements.

6.3 Recordkeeping, Access and Reporting – 34 CFR 364.35; 34 CFR 364.36; 34 CFR 364.37

- Maintenance of records that fully disclose and document the information listed in 34 CFR 364.35.**
- Submission of annual performance and financial reports, and any other reports that the Secretary determines to be appropriate**
- Access to the Commissioner and the Comptroller General, or any of their duly authorized representatives, for the purpose of conducting audits, examinations, and compliance reviews, to the information listed in 34 CFR 364.37.**

DRS maintains supporting documentation of accounting transactions on-site for the current and prior fiscal years. The State of South Dakota's Records Center maintains supporting documentation, as required by state and federal regulation, for at least three (3) years after the final financial status report is filed for each fiscal year.

DRS completes and submits all required annual performance and financial reports, as well as any others which the Secretary determines to be appropriate. In addition, DRS provides access to the Commissioner and Comptroller General, or their representatives, when requested for the purpose of conducting audits, examinations and compliance reviews. The SILC and DSU also routinely consult with representatives of the Commissioner, seeking needed technical assistance relating to the delivery of IL services.

6.4 Eligibility – 34 CFR 364.40; 34 CFR 364.41

- Eligibility of any individual with a significant disability, as defined in 34 CFR 364.4(b), for IL services under the SILS and CIL programs.**
- Ability of any individual to seek information about IL services under these programs and to request referral to other services and programs for individuals with significant disabilities.**
- Determination of an individual's eligibility for IL services under the SILS and CIL programs in a manner that meets the requirements of 34 CFR 364.51.**
- Application of eligibility requirements without regard to age, color, creed, gender, national origin, race, religion, or type of significant disability of the individual applying for IL services.**
- Non-exclusion from receiving IL services of any individual who is present in the State**

and who is otherwise eligible for IL services, based on the imposition of any State or local residence requirement.

For services provided directly by the CILs and SILS, each entity maintains consumer service records documenting eligibility based on existing medical records or self reported information from the consumer. They also maintain information and referral data so that consumers can be referred to other appropriate services and agencies. The CILs and SILS provide independent living services to any individual present in the state, who meets eligibility requirements, without regard to age, color, creed, gender, national origin, race, religion, or type of disability.

Each of South Dakota's CILs and SILS will be responsible for following its established consumer eligibility determination process to assure that

- All potential consumers are prescreened for eligibility of IL services in a manner that meets the requirements of 34 CFR 364.51 prior to the provision of services;
- Information about IL services and referral to other services and programs for individuals with significant disabilities is being provided according to individual consumer needs; and
- Eligibility for services is determined without regard to age, color, creed, gender, national origin, race, religion, or type of significant disability.

Each of the CILs and SILS in South Dakota will assure that individuals with significant disabilities within its designated service area that are otherwise eligible for services as identified in its consumer eligibility process are determined eligible for and provided with IL services.

6.5 Independent Living Plans – 34 CFR 364.43(c)

- Provision of IL services in accordance with an IL plan complying with Sec. 364.52 and mutually agreed upon by the individuals with significant disabilities and the appropriate service provider staff unless the individual signs a waiver stating that an IL plan is unnecessary.**

The CILs and SILS maintain a consumer service record that includes either a written IL plan, mutually agreed upon by the consumer and IL staff, or a signed waiver stating that an IL plan is unnecessary. Each entity is responsible for following its identified method of assuring that consumers are provided the opportunity to develop or waive an Independent Living Plan and that their decision is indicated via signature. Furthermore, individuals choosing to develop an ILP will be assisted by their corresponding CIL, SILS staff in doing so.

6.6 Client Assistance Program (CAP) Information – 34 CFR 364.30

- Use of accessible formats to notify individuals seeking or receiving IL services under chapter 1 of title VII about the availability of the CAP program, the purposes of the services provided under the CAP, and how to contact the CAP.**

The CILs and SILS provide information to every consumer, in written and other accessible formats, about the purpose and availability of the Client Assistance Program. This information includes ways by which to contact the CAP program.

Each of the CILs and SILS in South Dakota will be responsible for following its policies of assuring that consumers are notified of the availability of the Client Assistance Program in South Dakota and related contact information in formats that are accessible to those being served.

6.7 Protection, Use and Release of Personal Information – 34 CFR 364.56(a)

- Adoption and implementation of policies and procedures meeting the requirements of 34 CFR 364.56(a), to safeguard the confidentiality of all personal information, including photographs and lists of names.**

The CILs and SILS will have written policies that assure the confidentiality of all personal information. They also will have written policies concerning release of information forms, which will comply with 34 CFR 364.56(a) and HIPPA. Each CIL and SILS will have the responsibility for following its policies, which assure consumer information is kept confidential, as well as policies guiding the use of signed releases of information prior to sharing consumer information with other service providers or entities.

Section 7: Evaluation

Describe the method that will be used to periodically evaluate the effectiveness of the plan in meeting the objectives established in Section 1. The description must include the State's evaluation of satisfaction by individuals with significant disabilities who have participated in the program. 34 CFR 364.38

The South Dakota SILC has a State Plan Advocacy Committee comprised of representatives from the SILC, DSU and the Division of Service to the Blind and Visually Impaired. This committee will provide progress reports relating to the SPIL at each quarterly SILC meeting. The SILC Executive Committee will meet annually with the administrators of the DSU and the Division of Service to the Blind and Visually Impaired to discuss progress being made towards the accomplishment of the SPIL goals and objectives. The State Plan Advocacy Committee will also semi-annually review consumer satisfaction results submitted by the CILs and SILS, as a means of determining the satisfaction of individuals with significant disabilities who participate in the program. They will also annually review the results of the DSU reviews of CILs and SILS with specific attention to the findings relating to consumer satisfaction with the provision and receipt of services.

Section 8: State-Imposed Requirements

Identify any State-imposed requirements contained in the provisions of this SPIL. Indicate N/A if not applicable. 34 CFR 364.20(h)

The Division of Rehabilitation Services requires a financial needs test to be completed in relation to the delivery of Home Modifications Assistive Devices (HMAD) program services. This needs test takes into account the individual's income and resources, and it may result in the individual participating in some type of cost share of provided services. The needs test is uniformly applied to all individuals seeking services through this program. The service providers maintain written policies on how the needs test is to be applied, and the DSU reviews these policies on an annual basis.

As allowed by policy, the Older Blind Independent Living program also requires a financial needs test, which is administered for the purpose of determining who will purchase the aids and devices needed by the consumer to achieve their independent living goals. All other aspects of the OB-IL program are free of charge to the consumer, including information and referral, eligibility and training in the skills of blindness. Like the HMAD program, the needs test takes into account the individual's income and resources, and it is applied uniformly to all individuals who are in the program.